

DONELL L. PRINCE  
P.O. Box 1024  
Hackensack, New Jersey 07602-1024  
(862) 290-4537 & (201) 759-7284  
Pro Se Defendant

CLERK  
U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

2022 FEB -3 A.D. 12

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Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY-NEWARK

Priscilla Pajela

FILE NO.

vs.

(Previously pending in the  
Superior Court N.J., Law  
Division, Bergen County  
BER-L-000025-22)

Defendant (s)

Donell L. Prince

NOTICE OF REMOVAL TO FEDERAL  
COURT PURSUANT TO 28 U.S.C.  
§ 1441 & § 1446 & § 1331

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To: CHIEF JUDGE AND JUDGES OF THE  
UNITED STATES DISTRICT COURT FOR  
DISTRICT OF NEW JERSEY-NEWARK  
M.L. King, Jr. Federal Bldg. & U.S. Courthouse  
50 Walnut Street - P.O. Box 419  
Newark, New Jersey 07101-0419

ON NOTICE TO:

Clerk of the Court, Law Division  
Superior Court of N.J. Bergen County  
10 Main Street  
Hackensack, New Jersey 07601

Victoria M. Brown, LLC  
342 Grand Avenue  
Englewood, New Jersey 07631  
(attorney for plaintiff)  
Priscilla Pajela

PLEASE TAKE NOTICE that Defendant Donell Prince, hereby  
give notice of the removal of the above-captioned action from  
the Superior Court of New Jersey, Law Division,  
Bergen County, to the United States District Court for the  
District of New Jersey-Newark, pursuant to 28 U.S.C. §1441 and  
§1446, and in accordance with 28 U.S.C. §1331.

PLEASE TAKE FURTHER NOTICE that pro se defendant shall rely upon his Certification in support of my Motion for Removal of this civil action from state court to federal district court

CERTIFICATION OF FILING AND SERVICE

Pro Se Plaintiff certifies that copies this Motion was filed with the court's clerk's and mailed to the following counsel of record on/or about 2/2/22 & 2/3/22.

To: CHIEF JUDGE AND JUDGES OF THE  
UNITED STATES DISTRICT COURT FOR  
DISTRICT OF NEW JERSEY-NEWARK  
M.L. King, Jr. Federal Bldg. & U.S. Courthouse  
50 Walnut Street - P.O. Box 419  
Newark, New Jersey 07101-0419

Clerk of the Court, Law Division  
Superior Court of N.J. Bergen County  
10 Main Street  
Hackensack, New Jersey 07601

Victoria M. Brown, LLC  
342 Grand Avenue  
Englewood, New Jersey 07631  
(attorney for plaintiff)  
Priscilla Pajela

Dated: February 1, 2022

By:   
Donell L. Prince, Pro se Defendant

DONELL L. PRINCE  
P.O. Box 1024  
Hackensack, New Jersey 07602-1024  
(862) 290-4537 & (201) 759-7284  
Pro Se Defendant

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Plaintiff

Priscilla Pajela

vs.

Defendant (s)

Donell L. Prince

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY-NEWARK

FILE NO.

(Previously pending in the  
Superior Court N.J., Law  
Division, Bergen County  
BER-L-000025-22)

CERTIFICATION

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INTRODUCTION

1. Pro se defendant Donell L. Prince, submits this Certification in support of my Motion for Removal, to Federal District Court, plaintiff state Superior Court civil case listed as BER-L-000025-22, pursuant to 28 U.S.C. Section 1441 & 1446 & 1331. In Support of this Notice of Removal, this defendant states:

2. Plaintiff Priscilla Pajela's, attorney Victoria M. Brown Esq. filed this civil action on/or about 1/3/22, with the Bergen County Superior Court of New Jersey and was docketed as BER-L-000025-22.

3. This Defendant Donell Prince was served with a copy of this Complaint and Summons on 1/5/2022.

4. Plaintiffs Complaint asserts claims against this Defendant, with Notice that this is an attempt to collect a debt pursuant to The Fair Debt Collection Practices Act, under 15 U.S.C. Section 1601 as Amended, on page (6) of said Complaint.

5. Defendant contends that the claims asserted by plaintiff are frivolous, and further disputes same, given this defendant had good cause for his actions, however because this plaintiffs claims are being claimed/pursued under the 15 U.S.C. 1601, and this implicate Federal Codes. This Defendant hereby seek to remove the State Court action to the United States District Court for New Jersey-Newark. This Defendant further contends that this Venue is proper for this Notice of Removal, given that the U.S. District Court of New Jersey-Newark, includes Bergen County, where the state court action is now pending.

6. Further this defendant asserts that he will be filing an Cross/Complaint against this plaintiff to show defendant had good cause for his actions, and will be pursuing his on claims pursuant to the Fair Housing Act & Civil Rights etc. for the violations of federal statutes/laws, against this plaintiff and others involved for her/their actions and inactions against this defendant over the last two years, for claims related to criminal/terrorist acts, harassment, retaliation, intimidation, coercion by the intentional exposure, to toxic fumes/chemicals and drugs as well, of this defendant a 62 year old black man on Social Security Disability; As well as state law/statutes claims related to Negligent & Inadequate Security; and the Violation of the (i) Reprisal Laws N.J.S.A. 2A:42-10.10-10.14; (ii) the Rules/Regulations Governing Rooming & Boarding Houses under N.J.S.A. 55:13B-1 & N.J.A.C. Title/Chapter 5:27, listed in part as (5:27-3.1, #11 & #12 ); (iii) Implied Warranty of Habitability & the Implied Covenant of Quiet Enjoyment, etc.

7. Pursuant to 28 U.S.C. § 1446, (i) this defendant has 30 days from the time he is served with this Summons/Complaint, said complaint was served on 1/5/22, which makes the motion/petition timely to Remove to Federal District Court, this state court case; (ii) also pursuant to § 1446, a copy of all pleading served upon this defendant has to be and are attached to this Notice of Motion as Exhibit (A). (iii) also pursuant to § 1446, a copy of this Notice/Motion to Remove is to be served/filed on/with the U.S. District Court of New Jersey-Newark, with the clerk of the Bergen County Superior Court and plaintiffs attorney Victoria M. Brown Esq.; (iv) further this defendant states, there is only one defendant.

8. Also under state Superior Court R. Civ. P., this defendant has until on/or about 2/10/22 to Answer, Move to Dismiss, or otherwise respond to the plaintiff Complaint. As such this defendant expressly reserve my rights under Fed. R. Civ. to hereto answer or present other defenses or objections, and/or file cross claims/complaint.

9. Pursuant to 28 U.S.C. § 1441. "any civil action brought in a state court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defends, to the district court of the United States for the district and division embracing the place where such action is pending."

10. Because this Court has original subject matter jurisdiction over this action, this defendant may remove this action pursuant to 28 U.S.C. §§ 1441 & 1446.

11. This plaintiffs Complaint asserts claims, which are being pursued under the 15 U.S.C. § 1601, and this implicate Federal Codes. As a result of the foregoing, this action arises under U.S. Constitution, laws, or treaties of the U.S., and as such this Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331.

12. No admission of fact, law or liability is intended by this filing of this Notice of Removal. This defendant hereby disputes this debt, preserves any and all defenses, right to file cross-complaints, objections and/or motions available under state and/or federal law.

IN CONCLUSION

13. As such this pro se plaintiff, respectfully request that this court grants, his request for an Order of this District Court for Removal, to Federal District Court, the plaintiff state Superior Court civil case listed as BER-L-000025-22, pursuant to 28 U.S.C. Section 1441 & 1446 & 1331.

I declare, certify, verify and state under penalty of perjury that the foregoing is true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: February 1, 2022

By: Donell Prince  
Donell L. Prince, Pro se Defendant

TEXT 1-6  
EXHIBIT 1-6



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VICTORIA M. BROWN, LLC  
342 Grand Avenue  
Englewood, New Jersey 07631  
(201) 567-6144  
Attorney for the Plaintiff  
Bar # 045281989

**PRISCILLA PAJELA**

Plaintiff

-against-

**DONELL PRINCE**

Defendants.

SUPERIOR COURT OF NEW JERSEY  
BERGEN COUNTY  
DOCKET NO. 25-22  
CIVIL ACTION  
**SUMMONS**

From the State of New Jersey  
To the Defendant(s) named above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).

Dated: 1/3/22

/s/ Michelle M. Smith  
Clerk of the Superior Court

Name of Defendant to be Served:

**DONELL PRINCE at Room 5, 104 James Street, Englewood, NJ 07631**

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VICTORIA M. BROWN, LLC  
ATTORNEY FOR PLAINTIFF/PLAINTIFF  
342 Grand Avenue  
Englewood, NJ 07631  
201-567-6144 Bar # 045281989

PRISCILLA PAJELA  
Plaintiff

STATE OF NEW JERSEY  
SUPERIOR COURT, LAW DIVISION  
BERGEN COUNTY  
DOCKET NO. BER - L 25-22

Vs.

**COMPLAINT**

DONELL PRINCE  
Defendant.

The Plaintiff, PRISCILLA PAJELA, complaining of the Defendant DONELL PRINCE, by her attorney Victoria M. Brown, states:

**JURISDICTION**

1. Priscilla Pajela resides at 9 Priscilla Lane, Englewood Cliffs, NJ 07632.
2. The Defendant Donnell Prince resides at Room 5, 104 James Street, Englewood, NJ 07631.
3. Because both parties live in Bergen County the venue is proper and because the amount claimed hereunder exceeds \$15,000 this court, the Law Division, has jurisdiction.

**FACTS**

4. Plaintiff is the owner of the premises and building located at 104 James Street, Englewood, NJ 07631 (the "Property") which property is a boarding house; Defendant lives in Room 5 (the "Premises") at the Property.
5. The Plaintiff did not acquire the Property from the Defendant, Donell Prince.
6. The Plaintiff has not given the Defendant the option to purchase the property.



7. The Defendant now resides and has been in possession of the premises prior to March 2011 and is currently occupying the Premises pursuant to a lease executed on March 12, 2019 between the Plaintiff and Defendant. A copy of this Lease is annexed hereto as Exhibit A.
8. Increases to the rent occur annually as permitted by the Englewood Housing authority.
9. The tenancy of Defendant is not subsidized pursuant to either a federal or state program and the rental unit is not public housing.
10. The Plaintiff has registered the leasehold and notified the Defendant as required by NJSA 46:8-27.
11. Defendant's last increase was as of Jan. 1, 2021 and he was asked to sign a new lease prior to the commencement of this new term but he refused.
12. Defendant has not paid any rent since March 2020 to date.

13. **RENT:** Rent due to date is as follows:

March 2020	in the amount of	\$ 740
April 2020	in the amount of	\$ 740
May 2020	in the amount of	\$ 740
June 2020	in the amount of	\$ 740
July 2020	in the amount of	\$ 740
August 2020	in the amount of	\$ 740
Sept. 2020	in the amount of	\$ 740
Oct. 2020	in the amount of	\$ 740
Nov. 2020	in the amount of	\$ 740
Dec. 2020	in the amount of	\$ 740
Subtotal due for base rent in 2020 =		\$7,400

Jan. 2021	in the amount of	\$ 769.60
Feb. 2021	in the amount of	\$ 769.60
March 2021	in the amount of	\$ 769.60
April 2021	in the amount of	\$ 769.60
May 2021	in the amount of	\$ 769.60
June 2021	in the amount of	\$ 769.60
July 2021	in the amount of	\$ 769.60
August 2021	in the amount of	\$ 769.60

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Sept. 2021	in the amount of	\$ 769.60
October 2021	in the amount of	\$ 769.60
Nov. 2021	in the amount of	\$ 769.60
Dec. 2021	in the amount of	\$769.60
Subtotal due for base rent in 2021 =		\$8,465.60

Thus from March 2020 through December 31, 2021 the Defendant/Defendant owes a total of \$16,635.20 in base rent.

14. **LATE FEES:** According to paragraph 24 of the above-referenced Lease the Defendant is liable for late payments for each month you do not pay base rent by the 5<sup>th</sup> of the month in an amount of 5% of the rent due. The rent due is  $\$16,635.20 \times .05 =$  \$831.76 due in late fees.
15. **ATTORNEY FEES:** In addition the Lease provides for Defendant's payment of Plaintiff's attorney's fees upon default (see 2<sup>nd</sup> paragraph on top of page 2 of the Lease). Based on the foregoing Defendant/Defendant owes the Plaintiff/Plaintiff attorney's fees and costs incurred due to Defendant's default which amount is \$1,275 to date.
16. On Nov 11, 2021 the Defendant was sent a default letter seeking payment of these rent arrears. A copy of the Default letter sent by certified and regular mail is annexed hereto as Exhibit B.
17. Nothing at all was heard in response to said Notice of Default and no payment has been received to date on such amounts due.

**AS AND FOR THE FIRST CAUSE OF ACTION – BREACH OF CONTRACT**

18. All of the facts as set forth above are incorporated herein and made a part hereof as if fully set forth herein.
19. The Defendant is in breach of contract (the lease being the contract) in the amount of \$18,471.96 as follows: a) rent due under the lease in the amount of \$16,635.20 thru 12/31/21 b) \$831.76 due in late fees. c) \$1,275 in attorney's fees.

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20. Per the Default letter sent to the Defendant he had notice and opportunity to cure but failed to do so, which failure was and is a breach of contract.
21. There are no known defenses as against the Plaintiff.
22. *For Breach of Contract*, the Plaintiff claims against the Defendant the sum of \$18,471.96 as follows: a) rent due under the lease in the amount of \$16,635.20 thru 21/31/21 b) \$831.76 due in late fees. c) \$1,275 in attorney's fees, plus attorney's fees and interest and costs hereinafter to accrue.

**AS AND FOR THE SECOND CAUSE OF ACTION – UNJUST ENRICHMENT**

23. All of the facts as set forth above are incorporated herein and made a part hereof as if fully set forth herein.
24. Defendant has been unjustly enriched by the use of the Premises without any payment for such use from March 2020 through Dec. 31, 2021, such use being to the exclusion of and to the detriment of the Plaintiff.
25. The fair market value of the use of the Premises is \$16,635.20.
26. There are no known defenses to this cause of action for use and occupancy.
27. *For Unjust Enrichment*, the Plaintiff claims against the Defendant the sum of \$16,635.20

**DAMAGES**

28. Wherefore, the Plaintiff PRISCILLA PAJELA demands judgment against the Defendant DONNEL PRINCE, as follows:

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a. For Breach of Contract, the Plaintiff demands from Defendant payment of the principal amount due of \$18,471.96 plus interest, costs and attorney's fees hereinafter to accrue.

b. for Unjust Enrichment, the Plaintiffs demands from Defendant payment of \$16,635.20 for use and occupancy, and

c. for such other and further relief as seems just and proper to this court.

VICTORIA M. BROWN, LLC

Dated: Jan. 3, 2022

BY: Victoria M Brown

VICTORIA M. BROWN

Attorney for the Plaintiff

**CERTIFICATION PURSUANT TO RULE 4:5-1**

I certify that the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding and no other action or arbitration proceeding is contemplated and I am unaware of any other party that should be joined in this action.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to provision of Rule 4:25-4, the Court is advised that Victoria M Brown is hereby designated as trial counsel in the above captioned matter.

VICTORIA M. BROWN, LLC

Dated: 1/3/22

BY: Victoria M Brown

VICTORIA M. BROWN

Attorney for the Plaintiff

PERSONAL IDENTIFIER REDACTED: If this is the first paper you are filing in this case, you must sign the following certification. I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-1(b).

Dated: 1/3/22

Victoria M. Brown, LLC

By: Victoria M Brown

Victoria M. Brown, Esq.

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NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION  
PRACTICES ACT, (the act),  
15 U.S.C. SECTION 1601 AS AMENDED

**THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

1. The amount due on the debt, as of Dec. 31, 2021, is the sum of \$18,471.96 being 16,635.20 thru 21/31/21 b) \$831.76 due in late fees. c) \$1,275 in attorney's fees.
2. The debt described in the complaint attached hereto unless debtors, within thirty (30) days after receipt of this Notice, disputes, in writing, the validity of the *debt* or some portion thereof.
3. If the debtor notifies the creditor's law firm in writing within thirty (30) days of the receipt of this Notice, that the debt or any portion thereof, is disputed, the creditor's law firm will obtain verification of the debt and a copy of the verification will be mailed to the debtor by the creditor's law firm.
4. If the creditor who is named as plaintiff in the attached summons and complaint, is not the original creditor, and if the debtor makes written request to the creditor's law firm within thirty (30) days from the receipt of this Notice, the name and address of the original creditor will be mailed to the debtor by the creditor's law firm.

Written request should be addressed to VICTORIA M. BROWN,  
NJ: of Victoria M. Brown, LLC, 342 Grand Ave, Englewood, NJ 07631 201 567 6144  
201-567-9891 (efax)

(if Debtor lives in New York, then to):  
Victoria M. Brown, Attorney at Law, 324 W 83<sup>rd</sup> St, Ste. 4S, NY, NY 10024  
212 874 6181, 201-567-9891 (efax)

**THIS IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED  
WILL BE USED FOR THAT PURPOSE.**